

## Minutes

### **Board of County Commissioners Hyde County**

**January 5, 2009**

Chairman Tom Davis called the Regular meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, January 5, 2009 in the Multi-Use Room, Government Center, Swan Quarter. The following members were present: Anson Byrd, Gene Ballance, Tom Davis, Sharon Spencer, and Barry Swindell. Also present were County Manager Carl Classen; County Attorney Sid Hassell; Clerk to the Board Lois Stotesberry; and members of the public.

Following a pledge of allegiance to the flag and opening prayer by Commissioner Ballance the meeting was called to order.

#### **Agenda:**

Chairman Davis asked for any changes to the January 5, 2009 meeting Agenda as presented by the Clerk. Commissioner Swindell moved to accept the Agenda as presented by the Clerk. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Consideration of Minutes:**

Chairman Davis asked for approval of meeting minutes.

Commissioner Swindell moved to approve the December 1, 2008 Meeting Minutes with corrections made on page 6, line 7 stating the Group will meet on the 4<sup>th</sup> Monday night of each quarter; and on page 6, line 23 stating the Board of Education meeting (Mattamuskeet School Cafeteria). Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Public Comments:**

Chairman Davis called for comments from the public.

Franklin Swindell, Engelhard – asked the Board to fix the Engelhard Airport building instead of lengthening the airstrip; why a nay vote is considered aye; to resume solid waste drop points instead of curbside pickup; what is the status of the Old Courthouse; to publish meeting agendas sooner; and expressed his disapproval of the new Engelhard EMS Station.

Barbara Jean Gibbs, Engelhard – Requested a closed session with the Board to discuss personnel matters.

There being no further public comment, Chairman Davis continued the meeting.

#### **Special Presentation:**

##### **State of the County Health Report (S)TCH for 2008 for Hyde County**

Health Director Wesley Smith and Registered Nurse Laura Poole (also Health Educator) presented the “State of The County Health Report for Hyde County” for 2008.

Every four (4) years, Local Health Departments (LDH) are required to submit a comprehensive Community Health Assessment (CHA), which requires collection of primary and secondary data at the county level. The most recent CHA for Hyde County was conducted in 2007. During the three (3) interim years, the local health department will issue a State-of-the-County’s Health Report that provides updated information about the priority health issues specific to the county. The results are to be disseminated to local health department stakeholders, community partners and the general population.

### **Safety Improvements – US 264 at Hodges Fork – NCDOT**

NCDOT Eastern Region Mobility & Safety Field Operations Engineer Haywood Daughtry, and Division 1 Traffic Engineer Chad Edge gave report and answered questions on the investigation and sign improvements made at the fatal crash location on US 264, 235 feet west of SR 1139, Hyde County where Knightdale 4<sup>th</sup> Grade Teacher Imelda Corral-Mills died.

Commissioner Davis reported that O. A. Peay Elementary School Teacher, Kathy Strong died, and Mattamuskeet High School Teacher Paula Zarnick-Whitfield was severely injured in an accident at the same location several years ago. The Board would like NCDOT to investigate improving banking of the curve at the crash site.

After discussion, Commissioner Swindell moved to contact North Carolina Division One Representative Stan White to request use of Safety Funding to further improve the US 264, SR 1139 crash location with proper banking of the curve, and to investigate addition of guardrails and/or lights. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

### **Swan Quarter Watershed Project Phase XII Project Ordinance**

Chairman Davis moved to approve “An Ordinance Of The Hyde County Board of Commissioners Approving The Swan Quarter Watershed Dike Construction Contract #SQW-12 Project Ordinance”. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of “An Ordinance Of The Hyde County Board of Commissioners Approving The Swan Quarter Watershed Dike Construction Contract #SQW-12 Project Ordinance” is attached herewith as Exhibit A and incorporated herein by reference.*

### **Authorizing Resolution By Governing Body Of The Applicant – Wastewater Collection and Treatment**

Hyde County has been awarded an NC Rural Center Grant in the amount of \$500,000.00 for construction of a wastewater collection and treatment system to serve Mattamuskeet Lodge.

Commissioner Byrd moved to authorize execution of “Authorizing Resolution By Governing Body Of The Applicant – Wastewater Collection and Treatment”. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of “Authorizing Resolution By Governing Body Of The Applicant – Wastewater Collection and Treatment” is attached herewith as Exhibit B and incorporated herein by reference.*

### **Appointments:**

#### **Albemarle Commission**

Commissioner Swindell moved to appoint Commissioner Sharon Spencer as representative to the Albemarle Commission. Mr. Davis seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Albemarle Mental Health Board of Directors**

Commissioner Davis moved to appoint Commissioner Anson Byrd as representative and County Manager Carl Classen as alternate to Commissioner Byrd to the Albemarle Mental Health Board of Directors to the extent permissible. Mr. Swindell

seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**NCACC Legislative Liaison for 2009-10**

Commissioner Davis moved to appoint Commissioner Sharon Spencer as Hyde County Board of Commissioners Legislative Liaison for the 2009-10 legislative biennium. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**Other Matters:**

**Budget Revisions and Transfers**

County Manager Carl Classen reported to the Board that in accordance with the FY2007-08 Budget Ordinance several budget transfers made administratively and requested approval of the following:

**A. Budget Amendment - \$5,000.00 Gift – Ocracoke Fire Department**

The County has received a \$5,000 gift designated to the Ocracoke Volunteer Fire Department. As in the past year, the gift was accepted following consultation with the Chief of the Ocracoke Fire Department.

Commissioner Swindell moved to authorize distribution of the \$5,000 gift to the Ocracoke Fire Department as it increases the County budget by \$5,000. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**B. Budget Amendment – Department of Social Services – Crisis Intervention**

Department of Social Services (DSS) Director Gloria Spencer has requested authorization of funding (\$13,403.00) to the Department of Social Services for Crisis Intervention and, as such, can see an increase in the Department budget.

Commissioner Spencer moved to authorize the DSS budget amendment of \$13,403.00. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**C. Budget Amendment – Health Department – Family Planning - State**

Health Director Wesley Smith has requested authorization of additional funding (\$3,250.00) to the Health Department received from the Department of Public Health, Women and Children's Health Section, Women's Health Branch, to assist Hyde County Health Department, one of 26 health departments with significant long-term declines in family planning patients, develop activities designed specifically to increase patient numbers and reverse the downward trend.

Commissioner Swindell moved to authorize the Health Department budget amendment of \$3,250.00. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**D. Budget Amendment – Health Department – Vaccine Storage Equipment**

Health Director Wesley Smith has requested authorization of additional funding (\$3,000.00) to the Health Department received from Department of Public Health, Women's and Children's Health/Immunization Branch, to assist Local Health Departments improve vaccine storage and handling capabilities. The additional funding will allow Hyde County Health Department to purchase a General Purpose Build Refrigerator/Freezer that will safeguard state-supplied vaccines.

Commissioner Swindell moved to authorize the Health Department budget amendment of \$3,000.00. Mr. Ballance seconded the motion. The motion passed on the

following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**E. Budget Amendment – Health Department – Breast & Cervical Cancer**

Health Director Wesley Smith has requested authorization of additional funding (\$2,377.00) to the Health Department received from the Division of Public Health, CDIS Section, Cancer Prevention & Control Branch, to expand breast and cervical cancer screening services to additional women. This will enable Hyde County Health Department to provide screening services to 10 additional eligible women.

Commissioner Swindell moved to authorize the Health Department budget amendment of \$2,377.00. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**Budget Amendment – Swan Quarter Watershed Phase XII – Utility**

After discussion of a budget amendment request reflecting additional funding (\$125,000.00) to the Swan Quarter Watershed Project Phase XII from NC DENR Division of Soil and Water Conservation to cover utilities expenses on the project, the Board decided to revisit this topic at the Monday, January 12, 2009 Board of Commissioners meeting.

No action was taken.

**Sheriff's Department – New Hire**

Hyde County Sheriff David Mason requested approval to advertise to fill one vacant deputy position, replacing an employee who resigned.

Commissioner Swindell moved to authorize advertising one deputy position. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**EMS Department – New Hire**

Emergency Services Director David Warren requested approval to advertise to fill one vacant full-time EMT-I position, replacing an employee who recently resigned.

Commissioner Swindell moved to authorize advertising one full-time EMT-I position. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**Tax Department Pick-Ups and Releases**

Tax Administrator Linda Basnight presented a list of tax bills recommended for release.

| <u>Year</u> | <u>Name</u>               | <u>Amount</u> | <u>Reason</u>                                   |
|-------------|---------------------------|---------------|---|
| 2002        | Benston, Samuel Lee       | 52.40         | Billed 3 times for same expiration date         |
| 2002        | Benston, Samuel Lee       | 45.83         | Billed 3 times for same expiration date         |
| 2008        | C I T Group Leasing       | 9.50          | Did not have personal property in Hyde 01/01/08 |
| 2066        | Sears, Charles Rodney     | 138.37        | Plates turned in/vehicle totaled in wreck       |
| 2007        | Terrell, George J/Timothy | 6.34          | Incorrect acreage                               |
| 2008        | Terrell, George J/Timothy | 5.32          | Incorrect acreage                               |
| 2001        | Sanderson, Thomas Earl    | 301.23        | Double billed                                   |
| 2003-2008   | Best, Willie James        | 558.99        | Vehicle destroyed in hurricane Isabel           |

|       |                      |            |                                     |
|-------|----------------------|------------|-------------------------------------|
| 1998  | Gregory, Pattie Jean | 323.01     | Billed on both a 1993 & 1998 truck. |
| 2001  | Corolla Outback LTD  | 270.88     | Paid in Currituck County            |
| 2003  | Corolla Outback LTD  | 230.09     | Paid in Currituck County            |
| TOTAL |                      | \$1,941.96 |                                     |

Commissioner Ballance moved to approve the tax bill releases as presented as listed above. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Option For Mainland Solid Waste Fee**

Utilities Director Clint Berry reported “the Hyde County Water Department has lost 28 customers since July 1, 2008 and probably will lose about 30 more unless we can address this issue. We have a lot of hunters that have houses or camps in Hyde County that are on county water and use no water for 10 months out of the year but leave their water activated, which they pay a \$25/month flat rate. We have deactivated 28 accounts so far this year where the citizens are turning off all utilities due to them paying an additional \$20/month for the solid waste fee. It would be my recommendation that the mainland have a choice to either continue with the \$20/month curbside collection and can use any bag or not have curbside collection and purchase a blue trash bag at a rate of \$3/bag but be required to take it to the convenience site. I believe this option would give the citizens of the county a choice that will fit their household and maintain our water customer base.”

After discussion, the Board decided to revisit this topic at the Monday, January 12, 2009 Board of Commissioners meeting.

No action was taken.

#### **January 20, 2009 Commissioners Meeting**

The January 20, 2009 Commissioners meeting conflicts with the Essentials of County Government seminar, which Commissioners Byrd and Spencer will be attending along with the County Manager. The third Monday in January regular Commissioners meeting had been moved from Monday, January 19 due to a conflict with the Martin Luther King Holiday.

Commissioner Byrd moved to cancel the scheduled Monday, January 20, 2009 meeting and to hold the next Board of Commissioners meeting on Monday, January 12, 2009. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Albemarle Regional Solid Waste Management Authority Contract**

Since this matter was discussed December 1 by the County Commissioners, all of the other ARSWMA members (Chowan, Currituck, Dare, Gates, Perquimans, Tyrrell counties) have approved the contract with Republic Industries. In mid-December, the County Manager was contacted by ARSWMA staff (Ralph Hollowell) and attorney (Herbert Mullen) about any Hyde County concerns. Issues raised December 1 were discussed and the County Manager was told that ARSWMA and Republic Industry representatives would try to attend the January 5 Commissioner meeting and answer any questions. Additionally, the county manager was told elected officials in other counties might be contacting Hyde County Commissioners to help answer Commissioner concerns.

In summary, the contract provides for an initial disposal rate reduction equaling approximately \$35,000 annually (Hyde County), which will be offset by higher hauling

costs to the Bertie County landfill by David's Trash Service. The disposal rate is not to be CPI-adjusted during the first three years of the 26-year contract except for fuel surcharges and regulatory pass-through (e.g., the new State disposal tax implemented July 2008).

This contract is the product of negotiation and is not perfect. Its 26-year term has concerned many folks, including several county managers who argued to have it shorter. Other counties, though, wanted the surety of space for many years to come since building a new landfill under recently-enacted State legislation is nearly cost-prohibitive. Waste Industries' Black Bear Landfill experience in Camden County is the foremost example, as is the C&D landfill that was proposed for Hyde County. Some county managers wanted to look at alternative disposal methods (e.g., incinerators) but the only nearby example is in near Wilmington and its operating cost is so high (\$100 ton approximately) that county commissioners there are seeking to get out from under that option.

At the December 1 meeting, Commissioners asked if taking Hyde County solid waste to EJE would represent cost savings. EJE operates transfers stations but their MSW is disposed at the Republic landfill in Bertie County. The cost would be for hauling to EJE and then whatever Republic charges EJE for disposal.

If Hyde County does not participate in ARSWMA (does not approve the contract with Republic as presented by the Authority), Hyde County will have removed itself from the Authority as the new contract supersedes the existing 1993 contract. This would be effective in spring 2009 (likely by February or March). Camden and Pasquotank counties are not ARSWMA members and negotiate disposal contracts either with Virginia landfill operators or separately with Republic Industries. Washington County has a direct contract with Republic and Beaufort County hauls to Waste Industries-owned transfer sites and has a separate contract with Republic. Hyde County could do likewise, though it may take restructuring the collection contract system; especially for Ocracoke solid waste as Dare County, which collects the Island's waste, might need to cease doing so as they may not be able to deliver waste to the Stumpy Point transfer station, as is currently done.

Of note, one thing a long-term contract offers is stability knowing that a solid waste disposal location is available and provides a formula for reasonable price changes (rather than a periodic large adjustment). Additionally, the contract includes a provision regarding new technologies stating that Republic must charge a reduced rate if a new technology (e.g., incineration) is found to be a less expensive option (or must implement the new technology).

If Hyde County leaves ARSWMA and seeks to rejoin later, the contract states the County could rejoin but that Republic would have the authority at that time to renegotiate tipping fees with ARSWMA (not just with Hyde County). That could diminish the desire of ARSWMA member counties to allow non-member counties to join after the final contract is approved; though, Hyde County's relatively small volume might not make a difference.

The proposed contract is a compromise. Given Hyde County's unique solid waste issues – its relatively low volume and half that volume coming from Ocracoke Island; given the relative price/space stability offered by the ARSWMA contract; and given the limited options available, the County Manager recommended approval of the ARSWMA contract with Republic.

After discussion, the Board decided to revisit this topic at the Monday, January 12, 2009 Board of Commissioners meeting. County Manager Carl Classen will invite representatives from Albemarle Regional Solid Waste Management Authority, NC DENR, and EJE Recycling to attend the January 12, 2009 Board of Commissioners meeting to discuss matters related to this contract proposal.

No action was taken.

#### **EMS Station Options - Report**

County Manager Carl Classen reported estimated capital and operating costs of housing EMT's in Engelhard and Swan Quarter Fire Departments including the possibility of using the Engelhard Medical Center for housing EMT's.

After discussion, Commissioner Swindell moved to build the new Mattamuskeet EMS Station. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Swindell, and Chairman Davis; Nays – Byrd and Spencer; Absent or Not Voting – None.

#### **Emergency Removal of Debris Memorandum of Agreement – NCDOT & Hyde County – 2009**

NCDOT has prepared a debris management plan in the event of a federally declared disaster which covers the NCDOT State Highway System, which includes our Primary System and Secondary Road System.

Commissioner Byrd moved to approve NCDOT – Hyde County Removal of Debris Memorandum of Agreement (MOA). Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Records Retention and Disposition Schedule**

The Government Records Branch of the Division of Historical Resources issued a new County Management Records Retention and Disposition Schedule in April of 2006. This schedule replaces all older county management records schedules, including the 2001 edition, which is on file for Hyde County.

Clerk to The Board Lois Stotesberry reported that the 2006 schedule should be approved by Hyde County before disposing of any county public records not listed on the 2001 schedule. Once the Board of Commissioners approves use of the 2006 edition and approval is entered into the minutes of the Board, Hyde County will be in compliance with G.S. §121 and 132, and may retain or dispose of county records as outlined in the schedule.

Commissioner Spencer moved to approve the 2006 issue of County Management Records Retention and Disposition Schedule. Mr. Davis seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Red Flag Policy**

The Hyde County Utilities, and Emergency Services Department have developed Identity Theft Prevention Programs specifically tailored for use in each department pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003, 16 C. F. R. § 681.2. The Hyde County Health Department will follow the UNC School of Government's policy and procedures for local health departments.

Commissioner Byrd moved to approve the Hyde County Utilities, and Emergency Services Department Identity Theft Prevention Program as presented. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**Oversight Committee for Historic Hyde County Courthouse; and, Endorse Formation of a Non-Profit Entity to Renovate and Operate the Historic Hyde County Courthouse**

After presentation by Swan Quarter Service Group representative Kris Noble, Commissioner Swindell moved to approve the formation of an Historic Courthouse Oversight Committee composed of three persons; one commissioner, one nominee from the Swan Quarter Service Group, and one member at large who has a special knowledge of Hyde County and Courthouse history. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

After discussion, Commissioner Spencer moved to approve endorsement of the formation of a non-profit entity to cooperate with Hyde County to renovate and operate the Historic Courthouse with stipulation that no county funds will be used to renovate or operate this 501 (C) (3) organization; that the Committee shall not extend past June 30, 2014; that operation and maintenance of the Historic Courthouse will be included in a lease agreement with the renter (s); that the Committee will not interfere with the County and USDA agreement; and that the Committee will report back to the Board at the end of five years where at that time the County will determine whether demolition of the Historic Courthouse will or will not occur. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**NCHFA/CDBG Rehabilitation Contract Awards**

Chris Hilbert of Holland Consulting, contract administrator for Hyde County's NCHFA/CDBG project, presented two contract awards to B & B Construction to rehab a unit at 261 Quarter Rd., Swan Quarter, and to rehab/elevate a unit at 1118 High Road, Engelhard. Mr. Hilbert reported that the scope of work for the units located at 649 Goshen Back Road, Engelhard, and 4668 Sladesville-Credle Road, Scranton will be revised and re-bid.

Commissioner Swindell moved to approve the NCHFA/CDBG Contract Awards to B & B Construction based on low bids. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

**Beach Plan Insurance Rate Increase**

Recent decisions of the Insurance Commissioner concerning rate adjustments to the "Beach Plan" could cause substantial insurance rate increases to many property owners in coastal counties. For Hyde County beach areas, the increase would be 32.1% and it would mean a 42.0% increase for other coastal areas in Hyde County.

Dare County has asked that the Hyde County Board of Commissioners support (joining legal action and monetary contribution) in efforts to mitigate the impact on coastal county property owners.

After discussion, the Board decided to revisit this topic at the Monday, January 12, 2009 Board of Commissioners meeting.

No action was taken.

**Hyde County Tax Rate Base Sold For Mitigation**

Commissioner Spencer in light of the issue being raised by the Chamber of Commerce has asked that the Board revisit "property being bought in Hyde County to be



converted to non-productive uses.” The Board addressed this matter during the summer of 2008.

Following discussion, County Manager Carl Classen will ask neighboring counties how this matter is being handled by their Board.

No action was taken.

#### **County Commissioners Reports:**

Commissioner Ballance attended the December 19, 2008 Golden LEAF/Ocracoke Fish House Grant Check Presentation Ceremony, and the NCAT Ocracoke Boat Ramp meeting; and the RegNeg meeting.

No other Board or Committee reports were offered so Chairman Davis continued with the Agenda.

#### **County Manager's Report:**

##### **Project Reports**

County Manager Carl Classen made report on the Swan Quarter Dike Project; Engelhard Water Treatment Plant; Mattamuskeet Lodge Sewer Project; Engelhard Community Park Maintenance; Ocracoke Convenience Site/County Building Improvements; Old Courthouse Re-Use; Ocracoke NPS Boat Ramp; Ocracoke Oyster; and Electronic Meetings.

Mr. Classen further reported that Animal Control costs need to be curtailed and that he will seek to do so working with contract Animal Control Officer including prosecuting violators and auditing the existing contracts; Ben Cahoon of Cahoon & Kasten Architects is preparing a draft of the revised Judge's Bench for the Government Center and all parties involved will be asked to sign the proposed plan expressing approval, then quotes will be secured.

#### **Hyde County – Engelhard Sanitary District Agreement**

In an effort to more effectively and efficiently collect sewer charges made by the Engelhard Sanitary District and the water and solid waste charges made by the County, Hyde County has drafted a joint collection agreement.

After discussion, Commissioner Swindell moved to approve the Hyde County – Engelhard Sanitary District Agreement. Mr. Davis seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

#### **Hyde County Video Conferencing Project**

The Soundside Group has submitted revised quotes for providing electronic meeting equipment that will be compatible with Information Highway equipment at Mattamuskeet and Ocracoke Schools.

Commissioner Byrd requested an additional quote for comparison.

After discussion, the Board decided to revisit this topic at the Monday, January 12, 2009 Board of Commissioners meeting.

No action was taken.

#### **Closed Session:**

Ms. Spencer moved to enter Closed Session in accordance with NCGS §143A-318.11(a)(6) to discuss personnel matters. Mr. Davis seconded the motion. The motion

passed on the following vote: Ayes Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners entered closed session at 10:24 P.M.

Commissioner Swindell moved to return from Closed Session. Mr. Davis seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners re-entered regular session at 10:35 P.M.

There being no further matters to come before the Commissioners, Mr. Swindell moved to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The meeting adjourned at 10:38 PM.

Respectfully submitted:

Minutes approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Lois Stotesberry, Clerk - Hyde County Board of Commissioners

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Tom Davis, Chairman - Hyde County Board of Commissioners

ATTACHMENTS:

Exhibit A – *"An Ordinance Of The Hyde County Board of Commissioners  
Approving The Swan Quarter Watershed Dike Construction  
Contract #SQW-12 Project Ordinance"*

Exhibit B – *"Authorizing Resolution By Governing Body Of The Applicant –  
Wastewater Collection and Treatment"*